

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ERNANIE LATORRE,

Plaintiff,

v.

RAYMUNDO CALARO, et al.,

Defendants.

No. 2:20-cv-00886-JAM-CKD PS

ORDER TO SHOW CAUSE

On September 30, 2020, the court granted plaintiff an additional 60 days to serve the thirty-two defendants named in this action. (ECF No. 9.) That deadline has passed, and there is no indication that plaintiff has yet effectuated service on any defendant. Having already once extended the standard time for service, the court would be well within its discretion to dismiss the case at this juncture under Federal Rule of Civil Procedure 4(m) for failure to serve (as discussed in the court's September 30 order), or under Federal Rule of Civil Procedure 41(b) for failure to comply with the court's order. However, considering plaintiff's pro se status, and the court's desire to determine this action on the merits, the court provides plaintiff this final opportunity to prove that any defendant has been served by issuing this order to show cause.

Accordingly, it is HEREBY ORDERED that:

1. Within 14 days of the date of this order, plaintiff shall show cause in writing why this action should not be dismissed pursuant to Federal Rule of Civil

Procedure 4(m) or 41(b) based on plaintiff's failure to timely serve the named defendants and failure to comply with the court's orders;

2. Within 14 days of the date of this order, plaintiff shall effectuate service on the named defendants, and shall file with the court certificates of service demonstrating that each defendant has been served. Any defendants for whom a certificate of service is not filed within this time will be subject to dismissal from the action;

3. Failure to timely comply with the terms of this order will result in a recommendation that this action be dismissed pursuant to Federal Rule of Civil Procedure 4(m) or 41(b); and

4. The Clerk of Court shall serve a copy of the court's September 30, 2020 order on plaintiff along with this order.

Dated: December 3, 2020



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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